

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

MARLON YANNEZZ

PETITIONER

VERSUS

CIVIL ACTION NO. 5:19-cv-102-DCB-MTP

SHAWN R. GILLIS, *Warden of Adams County Correctional Center*

RESPONDENT

ORDER

THIS MATTER is before the Court on Respondent's Motion [13] to Transfer Venue. At the time Petitioner filed this 28 U.S.C. § 2241 Petition for writ of habeas corpus, he was detained at the Adams County Correctional Facility in Natchez, Mississippi. After the Petition was filed on October 15, 2019, Petitioner was transferred to the Catahoula Correctional Center in Harrisonburg, Louisiana. *See* Notice [12].

Respondent requests that this matter be transferred to the Western District of Louisiana because Petitioner is no longer detained in the Western District of Mississippi and his custodian is also not located in this district. Jurisdiction over the Petition, however, attached at the time of filing and was not destroyed by the transfer of the Petitioner or a custodial change. *Griffin v. Ebert*, 751 F.3d 288, 290 (5th Cir. 2014); *see also Williams v. Blackmon*, 2018 WL 813364, at *1 n. 2 (S.D. Miss. Feb. 9, 2018) (holding that the court retained jurisdiction over the § 2241 petition despite the petitioner's transfer away from the district). To avoid a game of jurisdictional ping pong and to comply with the binding precedent in *Griffin*, the Court declines to transfer this matter to the Western District of Louisiana based on the current record.

IT IS, THEREFORE, ORDERED that Respondent's Motion [13] to Transfer Venue is DENIED. Respondent is directed to file a response to the Petition [1] on or before **January 3, 2020**.

SO ORDERED, this the 3rd day of December, 2019.

s/Michael T. Parker

United States Magistrate Judge